

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, et al.,

Defendants.

SIPA LIQUIDATION

No. 08-01789 (BRL)

(Substantively Consolidated)

Adv. Pro. No. 09-01364 (BRL)

**MOTION OF HSBC DEFENDANTS TO WITHDRAW
THE REFERENCE OF THE ABOVE-CAPTIONED
ADVERSARY PROCEEDING TO THE BANKRUPTCY COURT**

TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK:

HSBC Bank plc, HSBC Holdings plc, HSBC Securities Services (Luxembourg)
S.A., HSBC Institutional Trust Services (Ireland) Limited, HSBC Securities Services (Ireland)
Limited, HSBC Institutional Trust Services (Bermuda) Limited, HSBC Bank USA, N.A., HSBC
Securities Services (Bermuda) Limited, HSBC Bank (Cayman) Limited, HSBC Private Banking

Holdings (Suisse) S.A., HSBC Private Bank (Suisse) S.A., HSBC Fund Services (Luxembourg) S.A., and HSBC Bank Bermuda Limited (collectively, the "HSBC Defendants"), as named defendants in the above-captioned Adversary Proceeding, respectfully move the United States District Court for the Southern District of New York for an entry order, pursuant to 28 U.S.C. § 157(d), Federal Rules of Bankruptcy Procedure 5011, and Rule 5011-1 of the Local Rules of Bankruptcy Court, withdrawing the reference of the above-captioned Adversary Proceeding to the Bankruptcy Court for the reasons set forth in the accompanying memorandum of law with supporting declaration, which are hereby incorporated by reference.

The HSBC Defendants have made no prior request to this Court or to any other court for the relief requested by this Motion.

WHEREFORE, the HSBC Defendants respectfully request that the Court enter an order granting the relief requested herein, and such other and further relief as the Court deems just and appropriate.

Dated: New York, New York
February 3, 2011

CLEARY GOTTLIEB STEEN & HAMILTON LLP

By: 
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*Private Banking Holdings (Suisse) S.A., HSBC
Private Bank (Suisse) S.A., HSBC Fund Services
(Luxembourg) S.A., and HSBC Bank Bermuda
Limited.*